

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST  
LITIGATION

This Document Relates To: ALL  
ACTIONS

Case No. 0:18-cv-01776-JRT-HB

**ORDER GRANTING CLASS  
PLAINTIFFS' UNOPPOSED  
MOTION FOR ORDER  
PERMITTING PRODUCTION OF  
DOCUMENTS BY THIRD PARTY  
COBANK, ACB**

This matter came before this Court on January 27, 2021, on Direct Purchaser Plaintiffs, Commercial and Institutional Indirect Purchaser Plaintiffs, and Consumer Indirect Purchaser Plaintiffs' (collectively, "Class Plaintiffs") Unopposed Motion For Order Permitting Production Of Documents By Third Party CoBank, ACB (ECF No. 662).

Federal Rule of Civil Procedure 26(b)(1) allows a party to "obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case [and] [i]nformation within this scope of discovery need not be admissible in evidence to be discoverable." Fed. R. Civ. P. 26(b)(1). Federal Rule of Civil Procedure 45(a) allows the issuance of subpoenas for production of documents in a non-party's custody or control.

Class Plaintiffs' subpoena seeks information relevant to this action. CoBank notified Plaintiffs that pursuant to 12 C.F.R. § 618.8330(b), it requires a court order signed by a judge in order to produce any documents responsive to the subpoena requests. Class Plaintiffs and CoBank have met and conferred and agreed upon a

custodian and set of search terms to use to narrow the information to be produced in response to the subpoena, subject to any narrow follow-up that may result from documents CoBank produces.

**IT IS HEREBY ORDERED THAT** the Motion (ECF No. 662) is **GRANTED** CoBank shall produce nonprivileged, responsive documents in accordance with the agreement between Class Plaintiffs and CoBank within **fourteen (14) days** of entry of this Order.

DATED: January 28, 2021

*s/Hildy Bowbeer*

HILDY BOWBEER

United States Magistrate Judge